

**IN THE UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF TENNESSEE**  
**GREENEVILLE**

DODD POWELL KING,

Plaintiff,

vs.

ALLSTATE INSURANCE COMPANY,

Defendant.

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No. \_\_\_\_\_  
**JURY DEMAND**

**NOTICE OF REMOVAL**

The above-named Defendant, Allstate Insurance Company, pursuant to 28 U.S.C. § 1441, et seq. for its Notice of Removal of an action instituted by the above-named Plaintiff against it as Defendant, shows unto the Court:

1. Plaintiff is a citizen and resident of Sullivan County, Tennessee, and so plead in his Complaint.

2. Defendant Allstate Insurance Company at all times pertinent to this cause of action is a foreign corporation incorporated in the State of Illinois. Allstate Insurance Company was not on May 12, 2008, or any time before or after said date, up to and including the date this action was filed in the Law Court for Sullivan County at Bristol, Tennessee, or on the date of the filing of this Notice of Removal, incorporated under the corporate statutes or other applicable law of the State of Tennessee, and has not at any time prior to or subsequent to and including the date of the filing of this Notice of Removal, had its principal places of business in Tennessee.

3. The citizenship of the respective parties was the same as herein alleged at the time of the commencement of this action in the Law Court for Sullivan County at Bristol, Tennessee, and on the date of the filing of this Notice of Removal.

4. On October 23, 2009, Plaintiff instituted an action against Defendant in the Law Court for Sullivan County at Bristol, Tennessee, by filing in said Court a Summons for the said Defendant and, at the initial pleading, a Complaint seeking judgment for the sum of money to be determined by the Court, as a result of alleged events occurring on or about May 12, 2008, when Plaintiff allegedly sustained damages.

5. The Summons and Complaint issuing from the Clerk's Office of the Circuit Court for Sullivan County at Bristol, Tennessee, was served on the Defendant through the Tennessee Department of Commerce of Insurance on or about November 16, 2009.

6. Less than thirty (30) days have transpired since service of the suit to the Defendant, up to and including the date of the filing of this Notice of Removal.

7. Defendant files with its Notice of Removal copies of all process, pleadings and other papers served upon it in the state action, to wit:

- (a) Complaint filed October 23, 2009;
- (b) Letter from the State of Tennessee Department of Commerce & Insurance to Allstate Insurance Company in care of CT Corporation dated November 16, 2009; and
- (c) Letter from CT Corporation to Kim Turner, Allstate Insurance Company dated November 19, 2009.

8. The amount in controversy in said action herein referred to exceeds the sum of Seventy-five Thousand Dollars (\$75,000.00), exclusive of interest and costs as demonstrated by Exhibit A attached hereto which is the Sworn Proof of Loss submitted by Plaintiff and in which he swears that the amount of loss/claim totals \$190,750.00. Additionally, Plaintiff pleads in his Complaint for damages pursuant to Tenn. Code Ann. §56-7-105.

**WHEREFORE,** Defendant prays that this Court to accept this Notice of Removal and proceed with this action in accordance with law.

**DATED** this the 3rd day of December, 2009.

**Respectfully submitted,**

**ALLSTATE INSURANCE  
COMPANY**

s/ Suzanne S. Cook

By \_\_\_\_\_  
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